

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NICHOLAS WINDSOR ANDERSON,

CASE NO. C24-1961-KKE

Petitioner(s),

## ORDER

V.

SCOTT SPEER,

**Respondent(s).**

The Court, having reviewed Petitioner's petition for writ of habeas corpus, the Report and Recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge, and the remaining record,<sup>1</sup> hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

(2) Petitioner's petition for writ of habeas corpus (Dkt. No. 3) and this action

are DISMISSED with prejudice for failure to state a cognizable claim for relief.

(3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

<sup>1</sup> Petitioner filed objections to Judge Peterson’s report and recommendation on February 24, 2025, after the 14-day deadline. *See* Dkt. No. 8. Nonetheless, the Court considered Petitioner’s filings. His objections fail to identify any defect in the report and recommendation, nor do they substantively respond to Judge Peterson’s legal conclusions regarding Petitioner’s failure to exhaust his habeas claim in the state courts. Dkt. No. 7 at 2–3. Nor do Petitioner’s objections explain how he was denied an opportunity for full litigation of his Fourth Amendment claim at trial and on direct review in state court. *Id.* Therefore, the Court overrules Petitioner’s objections to the report and recommendation.

1 (4) The Clerk is directed to send copies of this Order to Petitioner and to Judge  
2 Peterson.  
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4 Dated this 28th day of February, 2025.

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7 Kymberly K. Evanson  
8 United States District Judge  
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